

Appl. No. : 09/874,563

REMARKS

In the Office Action dated March 22, 2004, claims 8, 9, 11, 15-18, 22-28 and 31-35 were indicated as rejected, claims 19-21, 29 and 30 were objected to, and claims 1-7, 9-14 and 36-38 were indicated as being allowable.

Applicant has cancelled claims 8, 19, 22-24, 29, and 31-35 without prejudice, and added new claims 39-44. Accordingly, claims 1-7, 9-18, 20-21, 25-28, 30, and 36-44 remain pending for examination.

Claim Rejections under 35 USC § 112

In the subject Office Action, claims 9 and 11 were indicated as being both allowable and rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has endeavored to address the various antecedent basis issues in claims 9 and 11 as well as claim 10. Applicant respectfully requests that §112 rejection to claims 9 and 11 therefore be removed and the claims be allowed.

Claim Rejections under 35 USC § 101

Claims 15-20 and 22-24 stand rejected under 35 USC § 101 because the claimed invention is directed to non-statutory subject matter. Applicant has canceled claims 19 and 22-24 thereby rendering the rejection to claims 19 and 22-24 as moot. However, Applicant has amended claim 15 to incorporate elements of objected claim 19 in a manner which Applicant submits falls within "the technological arts". In particular, Applicant has amended claim 15 to include positive recitations with respect to how the method is performed within a computing environment, and more specifically, the devices that are performing the various operations. Accordingly, Applicant submits that the rejection to claim 15 based upon § 101 has been obviated and amended claim 15 is in condition for allowance (also for reasons further described below). Furthermore, Applicant has amended claims 16-18 and 20 to depend from amended claim 15. As claims 16-18 and 20 now depend from claim 15, Applicant submits claims 16-18 and 20 are likewise allowable.

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Claim Rejections under 35 USC §102

Claims 8, 15-18, 22-28, 31-33 as being anticipated by US Patent No. 4,996,642 issued to Hey. Claims 8, 22-24, and 31-33 have been canceled thereby rendering the rejections to claims 8, 22-24, and 31-33 under §102 as moot.

Claim 19 was indicated as being objected to and would allowable if amended to include elements of claim 15 from which it depends. Instead, Applicant has chosen to amend claim 15 to include elements of claim 19, has canceled claim 19, and has amended claims 16-18 to depend from claim 15. Notwithstanding the 35 USC § 101 rejections to claims 15-18, Applicant submits that claims 15-18 are allowable.

Similarly, Claim 29 was indicated as being objected to and would be allowable if amended to include elements of claim 25 from which it depends. Applicant has amended claim 25 to include elements of claim 29, has canceled claim 29, and has amended claims 26-28 to depend from claim 25. Accordingly, Applicants believe claims 25-28 are now in condition for allowance.

Claim Rejections under 35 USC § 103

Claims 34 and 35 stand rejected under 35 USC § 103 as being unpatentable over Hey. Applicant has canceled claims 34-35 thereby rendering the rejection to claims 34-25 under 35 USC § 103 as moot.

Claim Objections

In the subject Office Action, claims 19-21, and 29-30 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has amended claim 15 to include elements of claim 19, and has amended claim 25 to include elements of claim 29. Applicant has further canceled claims 19 and 29 and has amended claims 20 and 30 to depend from allowable claims 15 and 25, respectively. Furthermore, Applicant has rewritten claim 21 in independent form so as to include elements of claim 15 as previously presented. Accordingly, Applicant submits at least claims 15, 20-21, 25 and 30 are in condition for allowance.

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New Claims

Applicant has presented new claims 39-42 for examination. In particular, claims 39-41 are dependent from claim 19, which applicant submits is allowable. Additionally, claim 42 is similar in form to claim 19 except claim 42 does not recite "generating a combined set of objects from the identified one or more corresponding sets of objects on the remote computer", which applicants submit is not required to differentiate over the prior art.

CONCLUSION

Applicant has further endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Any claim amendments which are not specifically discussed in the above remarks have not been made for patentability purposes. In addition, such amendments do not narrow the scope of the claims. Rather, these amendments have only been made to increase claim readability, to improve grammar, and to reduce the time and effort required of those in the art to clearly understand the scope of the claim language. In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejection is requested.

Respectfully submitted,

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